



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

First named inventor : Goethals, Koenraad H.

Group Art Unit: 1661

App. No. : 09/380,106

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on

Filed : November 24, 1999

Title : PLANT  
MICROPROPAGATION  
AND GERMPLASM  
STORAGE

March 10, 2003

(Date)

*Che S. Chereskin*

Che S. Chereskin, Reg. No. 41,466

Examiner : Para, Annette H.

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

**RECEIVED**

**MAR 17 2003**

**OFFICE OF PETITIONS**

ATTN: Box DAC

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on April 24, 2001, which set a 3-month period for response. The abandonment date of this application is April 5, 2002 (i.e., the day after the expiration of the date of the period set for response, plus any extensions of time obtained therefor).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

1. Petition fee  
☒ Small entity - fee \$650  
☐ Other than small entity - fee \$1,300
2. Proposed response and/or fee

The proposed response and/or fee to the above-noted Office Action in the form of filing a reply to the Office Action mailed April 24, 2001:

- ☐ has been filed previously.  
☒ is enclosed herewith.

03/14/2003 CNGUYEN 00000113 09380106

01 FC:2453

650.00 OP

3. Verified statement that delay was unintentional

The delay in submission of the proposed response or fee was unintentional.

- (X) Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410.
- (X) Return prepaid postcard.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 10, 2003

By: Che S. Chereskin

Che S. Chereskin

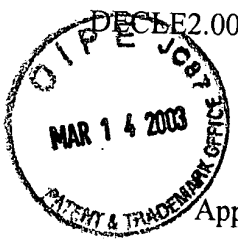
Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404

#11



DECL 2.001APC

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Goethals, Koenraad H.	)	Group Art Unit: 1661
Appl. No.	:	09/380,106	)	
Filed	:	November 24, 1999	)	
For	:	PLANT PROPAGATION AND	)	
		GERMPLASM STORAGE	)	
Examiner	:	Para, Annette H.	)	
			)	
			)	
			)	

RECEIVED  
MAR 17 2003  
OFFICE OF PETITIONS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The above-referenced application was abandoned for failure to file a proper reply to the Office letter mailed on April 24, 2001. However, Applicants failure to respond to the Examiner's Office Action was unintentional.

We are instructed in this matter by our foreign associate. There are two co-owners in this invention. Our foreign associate passed on instructions to us to abandon this application from one of the two co-owners. However, the second co-owner was not consulted and did not want to abandon the application. We subsequently received instructions from this second party via our foreign associate to revive the application. Consequently, the entire delay in filing the required reply, from the due date for the reply to the Office Action mailed April 24, 2001 until the filing of this petition, was unintentional. Applicants hereby petition the Office to revive the above-referenced application.

Appl. No.  
For

: 09/380,106  
: PLANT PROPAGATION AND GERMPLASM STORAGE

CONCLUSION

In view of Applicants' showing that failure to file a proper reply to the Office letter mailed on April 24, 2001 was unintentional, the submission of the petition fee under 37 C.F.R. § 1.17(m), and the filing of a reply to the Office Action of April 24, 2001, Applicants respectfully request that the petition under 37 C.F.R. § 1.137(b) be granted.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 10, 2003

By: Che S. Chereskin  
Che Swyden Chereskin  
Registration No. 41,466  
Agent of Record  
Customer No. 20,995

H:\DOCS\CSC\DECL2\CSC-4405.DOC  
031003